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Padre Shipping, Inc.
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Owen F. Duffy (OD-3144)
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PADRE SHIPPING, INC.,

Plaintiff,

v.

YONG HE SHIPPING, also known as,
YONG HE SHIPPING (HK) LIMITED;
PROSPER SHIPPING LIMITED; and
SHANGHAI COSFAR SHIPPING
INTERNATIONAL CO. LTD.,

Defendants.

-----X
STATE OF NEW YORK :
: ss.
COUNTY OF NASSAU :

07 CV 9682 (JFK)

**ATTORNEY'S
AFFIDAVIT THAT
DEFENDANTS CANNOT
BE FOUND WITHIN THE
DISTRICT**

This affidavit is executed by the attorney for the Plaintiff, PADRE SHIPPING, INC., (hereinafter "PADRE"), in order to secure the issuance of a Summons and Process of Attachment and Garnishment in the above-entitled, *in personam*, Admiralty cause.

Owen F. Duffy, being first duly sworn, deposes and states:

1. I am a partner of the firm of Chalos, O'Connor & Duffy LLP representing Plaintiff, PADRE, in this case.

2. I have personally inquired or have directed inquiries into the presence of Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. in this District.

3. I have personally checked with the office of the Secretary of State of the State of New York, using the Secretary of State's Division of Corporations database, and I have determined that, as of December 4, 2007, the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. are not incorporated pursuant to the laws of New York, is not qualified to conduct business within the State of New York and has not nominated agents for the service of process within New York because the Secretary of State of the State of New York has no records for the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD.

4. I have inquired of Verizon Telephone Company whether the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. can be located within this District. The Verizon Telephone Company has advised me that the Defendants do not have any telephone number listings within this District.

5. I have further consulted with several other telephone directories on the internet, and I have found no telephone listing or address for the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and/or SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. within this District.

6. I have further made several searches on the internet with various search engines and maritime websites, and I have found no indication that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and/or SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. can be found within this District.

7. In that I have been able to determine that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. are not based in the United States of America and that I have found no indication that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and/or SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. can be found within this District, I have formed a good faith belief that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. do not have sufficient contacts or business activities within this District to defeat maritime attachment under Rule B of the


Supplemental Rules for Admiralty and Maritime Claims as set forth in the Federal Rules of Civil Procedure.

8. It is my belief, based upon my own investigation that the Defendants YONG HE SHIPPING, also known as, YONG HE SHIPPING (HK) LIMITED, PROSPER SHIPPING LIMITED and SHANGHAI COSFAR SHIPPING INTERNATIONAL CO. LTD. cannot be found within this District for the purposes of Rule B of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

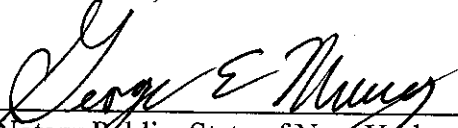
Dated: Port Washington, New York
December 4, 2007

CHALOS, O'CONNOR & DUFFY, LLP
Attorneys for Plaintiff,
Padre Shipping, Inc.

By:


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George E. Murray (GM-4172)
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Subscribed and sworn to before me this
December 4, 2007


Notary Public, State of New York

GEORGE E. MURRAY
Notary Public, State of New York
No. 02MU6108120
Qualified in New York County
Commission Expires April 12, 2008